

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

NYONA R. DENT

Movant,

V.

Misc. Action No. 05-196 (RBW)

UNITED STATES DEPARTMENT  
OF LABOR, OFFICE OF  
INSPECTOR GENERAL

Respondent.

## ORDER

Currently before the Court is the Movant’s Motions for Order Pursuant to Customer Challenge Provisions of the Right to Financial Privacy Act of 1978 (“RFPA”), 12 U.S.C. § 3410, the Movant’s Sworn Statement in support thereof, and the United States’s Response thereto (“Resp. Opp’n”). For the reasons set forth below, this Court must deny the movant’s motion.

“Within ten days of service or within fourteen days of mailing of subpoena, summons, or formal written request, a customer may file a motion to quash an administrative summons or judicial subpoena, or an application to enjoin a Government authority from obtaining financial records . . . .” 12 U.S.C. § 3410(a). In this case, the notice of subpoena was sent to the movant by Federal Express on April 25, 2005, and received by the movant on April 27, 2005. Resp. Opp’n, Ex. 3, Ex. 4. The subpoena sent to the movant clearly stated that to challenge the subpoena, she must file an appropriate motion within “fourteen days from the date of mailing this Notice.” Resp. Opp’n, Ex. 5. Therefore, to file a timely challenge to the subpoena, the movant had to file such a motion by May 9, 2005, or fourteen days after the mailing of the subpoena.

However, the movant's motion was not filed until May 20, 2005, well past the fourteen day time limit. Moreover, the movant has provided no reason for her failure to comply with the statutory deadline, and thus her motion must be denied. See Siegfried v. Inspector General of Dep't of Ag., 163 F. Supp. 2d 170, 173 (E.D.N.Y. 2001) (dismissing motion under RFPa as untimely); Mackey v. S.E.C., 1997 WL 114801, at \*1 (D.Conn. 1997) (same). Finding that the movant has failed to comply with 12 U.S.C. § 3410(a), it is hereby this 17th day of June, 2005

**ORDERED** that the movant's Motion for Order Pursuant to Customer Challenge Provisions of the Right to Financial Privacy Act of 1978 is **DENIED**.

**SO ORDERED.**

REGGIE B. WALTON  
United States District Judge